

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ULYSSES RODRIGUEZ CHARLES,)	
)	
Plaintiff)	
v.)	
)	04-CV-10986-NG
CITY OF BOSTON, et al.)	
Defendants)	
)	

ASSENTED MOTION FOR ENLARGEMENT OF DISCOVERY PERIOD

Plaintiff, Ulysses Rodriquez Charles, with the assent of Defendants, City of Boston and Stanley I. Bogdan, (collectively, the “Parties”) respectfully moves for an amendment to the joint scheduling agreement endorsed by the Court to enlarge the period of time for the parties to complete fact discovery and expert disclosures.

In support of this request for enlargement the plaintiff states the following:

1. As the Court is aware, this case concerns events that took place well over two decades ago, in the early 1980’s. It involves many witnesses, a large volume of documents (many old and difficult to locate), and many contentious legal and factual issues impinging on discovery.
2. The plaintiff has recently changed counsel and present counsel, Sarrouf Corso, did not receive what is now believed to be the entire file contents until July 2008. Counsel has commenced reviewing the entire group of files but due to other commitments will require additional time to complete reviewing all prior transcripts and other documents before the present date in July 2008 scheduled for the close of fact discovery.

3. The parties have been engaged in substantial ongoing discovery. The deposition of the plaintiff's original criminal lawyer has been commenced but due to a medical issue involving the witness the conclusion of the deposition has not yet been rescheduled. Moreover, additional fact discovery contemplated by the parties is not yet complete and cannot reasonably be completed by the current deadline.

4. The parties are working cooperatively regarding discovery.

5. The court presently has this case scheduled for a status conference on October 1, 2008. The proposed fact discovery extension will not interfere with this established date.

6. Because all parties join in this motion, no party will be prejudiced by its allowance. In addition, the requested enlargement will ensure that, through full discovery, the Court has all the facts necessary to render a just decision. Accordingly, the interests of justice and judicial economy will be served by the allowance of this motion. The plaintiff requests that the schedule be amended as follows:

- (a) Fact discovery will now be completed by September 29, 2008;
- (b) Plaintiff will disclose his expert(s) and produce the Rule 26(a)(2)(b) report(s) by October 5, 2008;
- (c) Defendants will disclose their expert(s) and produce the Rule 26(a)(2)(b) report(s) by October 26, 2008;
- (d) Depositions of the Parties' experts will be completed by November 9, 2008;
- (e) The Parties will serve motions for summary judgment no later than December 9, 2008.

WHEREFORE, the parties respectfully request that the court issue an order endorsing the dates set forth above as the effective dates of the case scheduling order.

Respectfully Submitted,

PLAINTIFF, ULYSSES R. CHARLES
By his attorney:

/s/ Frank C. Corso
Frank C. Corso, Esq. (BBO#: 545552)
Sarrouf Corso, LLP
95 Commercial Wharf
Boston, MA 02110
Tel.: (617) 227-5800

Respectfully Submitted,

DEFENDANTS, STANLEY BOGDAN
and THE CITY OF BOSTON
By their attorney:

/s/ John P. Roache
John P. Roache, Esq. (BBO#: 421680)
Patrick J. Donnelly, Esq. (BBO#: 651113)
Roache & Associates, P.C.
66 Long Wharf
Boston, MA 02110
Tel.: (617) 367-0330

Dated: July 29, 2008

CETIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to parties registered as participants as identified on the Notice of Electronic Filing and that on July 29, 2008, paper copies will be sent to any party not indicated to be a registered participant.

/s/ Frank C. Corso
Frank C. Corso, Esq.
BBO#: 545552